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PTO/SB/21 (08-00)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/697,103
Issued Date	October 31, 2003
First Named Inventor	Steven A. Rogers
Group Art Unit	2661
Examiner Name	TBA

Total Number of Pages in This Submission	16	Attorney Docket Number	006389.00004
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ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) 1 reference & 1449 along with Search Report (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Bradley C. Wright, Reg. No. 38,061
Signature	
Date	August 5, 2005

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: <input type="text"/>			
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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:	Atty. Docket No.:	006389.00004
Steven A. Rogers	Confirmation No.	9000
Serial No.: 10/697,103	Group Art Unit:	2661
Filed: October 31, 2003	Examiner:	TBA
For:	Endpoint Packet Scheduling System	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner of Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. §1.97 and §1.98, enclosed is a PTO Form-1449 listing art for consideration by the Examiner. We hereby certify under 37 CFR §1.97(e)(1) the items of information contained in the Information Disclosure Statement filed concurrently herewith were cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

These documents were cited by the European Patent Office Searching Authority for corresponding PCT Application No.: PCT/US04/29693, which was filed on September 13, 2004. A copy of the search report is also enclosed with a non-patent literature.

Information Disclosure Statement

Serial No. 10/975,019

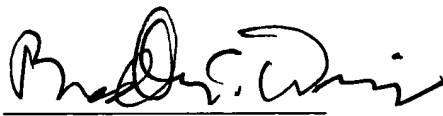
Consideration of this information is respectfully requested.

It is respectfully requested that the Examiner fully consider each item of information, initial the enclosed Form PTO/SB/08a in the appropriate places to indicate that the information has been considered, and return a copy of the initialed form to the undersigned in accordance with MPEP Section 609.

The submission of the listed documents is not intended as an admission that any such documents constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed documents as a competent reference against the claims of the present application.

Respectfully submitted,

Date: Aug. 5, 2005

By: 
Bradley C. Wright
Registration No. 38,061

Banner & Witcoff, LTD
1001 G Street, N.W.
Washington, D.C. 20001-4597
(202) 824-3000

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Substitute for form 1449A/PTC

Complete if Known

(use as many sheets as necessary)

Sheet	1	of	2
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Application Number	10/697,103
Filing Date	October 31, 2004
First Named Inventor	Steven A. Rogers
Group Art Unit	2661
Examiner Name	TBA
Attorney Docket Number	006389.00004

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
	1	US2003/0107991 A1	6/2003	Tezuka et al.	
	2	US2004/0024550	2/2004	Doerken et al.	
	3	US2003/0117959 A1	6/2003	Taranov	

FOREIGN PATENT DOCUMENTS

[illegible]

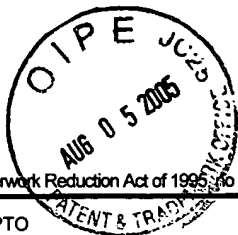
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 2 of 2

Complete if Known

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Filing Date	October 31, 2004
First Named Inventor	Steven A. Rogers
Group Art Unit	2661
Examiner Name	TBA
Attorney Docket Number	006389.00004

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	4	CLARK, M; JEFFAY, K; Application -level Measurements of Performance on the vBNS Multimedia Computing and Systems, 1999. IEEE International Conference on June 1999, Vol 2, 7-11, pp 362-366 vol.2	

Examiner
SignatureDate
Considered

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